

## **TITLE 329 SOLID WASTE MANAGEMENT BOARD**

### **DEVELOPMENT OF NEW RULES AT 329 IAC 11.7 CONCERNING REGISTRATION OF FACILITIES THAT USE INDUSTRIAL PROCESS WASTE OR COMMERCIAL SOLID WASTE AS AN ALTERNATIVE FUEL SOURCE LSA Document #09-194**

#### **SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING**

On February 21, 2012, the Solid Waste Management Board (board) conducted the first public hearing/board meeting concerning the development of amendments to rules at 329 IAC 11.7. Comments were made by the following parties:

Greg Bailey, Lehigh Cement (LCC)

Following is a summary of the comments received and IDEM's responses thereto:

*Comment:* I'm Greg Bailey. I'm here commenting on behalf of Lehigh Cement Company, and Lehigh Cement Company supports the state in their endeavor to manage the registration and control of solid waste that is intended to be used as an alternative fuel, and we support the preliminary adoption of this rule. (LCC)

*Response:* Thank you.

*Comment:* We also believe that this new rulemaking should coincide with the federal EPA's Office of Solid Waste Division in regard to the definition of "solid waste" and its exemptions, such as tires, as currently stated in their nonhazardous secondary materials definition, and the EPA's Air Division with respect their CISWI rulemaking. We believe a simple reference to these federal rulemakings in Indiana's new rulemaking is the easiest way to attain this. (LCC)

*Response:* The federal change to the definition of "solid waste" is not applicable to this rulemaking. Title 329 rules are designed to manage solid waste prior to burning and the Title 326 rules regulate the emissions of burning fuels.